

# The BATESBURG ADVOCATE

A TRI-COUNTY PAPER.

ESTABLISHED 1901

BATESBURG, S. C., FRIDAY, APRIL 9, 1909.

## COLUMBIA MUSIC FESTIVAL--APRIL 22-23.

Send your Collections to  
**GEORGIA RAILROAD BANK.**  
Augusta, Ga.

Capital \$2,000,000  
Undivided Profits \$410,000.00  
YOUR BUSINESS SOLICITED.



ALL BANK DEPOSITORS  
are not men by any means. Many women have found out how much better they can account for their expenditures through paying by check instead of cash. They don't have to worry about where their money has gone. They know by the returned checks.

### CITIZENS BANK

invites deposits from women. Housekeepers as well as business women will find an account with many advantages.  
We pay 4 per cent. quarterly on Savings Deposits.  
We pay 5 per cent. on time certificates of deposit.

### Watch Repairing Done Cheap

May appeal to you but work done cheap is done poorly and in the end is the final ruin of a good watch.

I DO FIRST CLASS WORK NO OVER CHARGES TO ANY ONE ALL REPAIRS GUARANTEED

Eyes tested FREE

C. L. Jones, Jeweler and Optician,  
Batesburg, S. C.

### COTTON MARKET.

Batesburg Spot 9 3-4c.

### PERSONALS.

Mr. and Mrs. Henry Jordan, of Ridge Spring was seen on our streets Monday.

Mrs. J. K. Pace is spending a while in Atlanta.

Misses Elise and Edna Bates of Columbia college are spending the week end with their parents. They were accompanied by Miss Sue Walker.

Mrs. W. T. Boyd has returned to Mt. Willing after spending a while with Mrs. G. W. Wightman.

Miss Rosa Ridgell is spending a while with friends at Vance.

Mrs. J. A. Quattlebaum and son have returned to Graniteville.

Miss Evelyn Asbill of Columbia is in town Wednesday.

Mrs. E. W. Quattlebaum is visiting at Steedman.

Mr. J. P. Buzhardt of Wards was a visitor here on Saturday.

Mrs. Walter Hendrix and Messrs. R. A. Hendrix and Georgia Fuller of Leesville were in town Tuesday.

Mr. J. E. Timmerman of near Johnston was here this week.

Messrs. L. M. and J. L. Grisby of Saluda were here a few days ago.

Dr. R. H. Timmerman spent Monday in Lexington.

Mr. F. M. Thomas of near Ridge Spring is spending a few days in town.

Mr. J. M. Rankin of Columbia was a visitor here on Sunday.

Mrs. J. T. Herlong from Mt. Willing was here Monday.

Mr. Barrett Jones spent Sunday in Florence.

### "THE SEMINOLE" FANS.

HAVE ORGANIZED TO FURNISH SPORT FOR BATESBURG BASEBALL LOVERS.

At a meeting of enthusiastic fans some days ago in the Mayor's office, a baseball club was organized to furnish sport and amusement for the summer months. Capt. W. M. Carter was elected President of the organization, W. C. Bates, Vice President; M. W. Perry, Manager, Secretary and Treasurer; and W. C. Bates, Chairman Finance Committee. A few nights later a "constitution" was adopted, and, by unanimous vote, the club was named "The Seminoles." The name will undoubtedly attract attention, and it is hoped the name-sake will find subscriptions as easy to get as the original. The Seminoles are determined to go one better than the first holders of that cognomen and furnish the real article.

The name was propitious and proved to be a Billiken at the jump, for more than enough to buy uniforms was raised at this meeting. Everyone will have a chance to contribute towards putting the diamond at the Fair Grounds in proper shape. If given the proper support, the team will be self-supporting when the season opens.

There are plans on foot for the organization of a four circuit association with Ridge Springs, Johnston, Trenton and Batesburg. Mr. Perry is a hustling manager, and under his leadership, some such organization may be effected.

Local team work will begin in a few days. The Manager stated he has some good stuff for a team in view, and will soon convince the skeptical that Batesburg can get up a team and support it.

### GRAFT HUNT IS RESUMED.

ATTORNEY GENERAL LYON GOES TO ATLANTA TO LAY PLANS FOR PROSECUTIONS

Attorney General Lyon is in Atlanta today to lay further plans, it is understood, for a vigorous prosecution.

### J. W. LIVINGSTON KILLED BY TRAIN.

KILLED IN SOMEWHAT MYSTERIOUS WAY.

POPULAR TRAVELING MAN.

NATIVE OF SENeca AND SON-IN-LAW OF CAPT. EDMUND BACON OF COLUMBIA--INQUEST, VERDICT AND BURIAL.

"J. W. Livingston, of Columbia, was killed one-half mile south of Batesburg Saturday morning by Southern Railway train No. 8, which was coming into Batesburg on time and was in full view of the passengers waiting at the depot when the accident occurred.

"Mr. Livingston was unconscious and made no statement before death about one hour later. He was brought into town and Dr. W. P. Timmerman was called, but could not revive the injured man. Train was in charge of Conductor James Weaver and Engineer Alexander.

"No solution has been found. Engineer Alexander stated that Mr. Livingston was walking in the track, meeting the train. The signals were made, but instead of getting off the track the deceased stopped and just before the engine struck him turned around as if to meet the shock. His legs and one arm were broken and probably internal injuries were sustained.

"The deceased once lived at Seneca, but lately, it is understood, he has been living in Columbia. He comes of a well known family, and his wife, who was a Columbia lady, is prominently connected.

"Mr. Livingston is a cousin of Mr. J. F. Livingston of the Atlantic Coast Line and son-in-law of Capt. Edmund Bacon. Having been a traveling man for several years, he has friends in all parts of the State. "The deceased was a son of the late J. W. Livingston of Seneca. Mrs. John C. Carey, formerly of Lockhart but now of Greenville, is a sister, and Messrs. W. K. Livingston of Seneca and J. F. Livingston of Cordele, Ga., are brothers.

The inquest was held on Monday morning and the verdict was that J. W. Livingston came to his death

### PRITCHARD IS REVERSED IN THE DISPENSARY CASE

THE SUPREME COURT OVERRULES HIM

ANNULS ORDER FOR RECEIVERS

STATE COMMISSION MAY NOW CONTINUE INVESTIGATIONS UNHINDERED

THE HIGHEST TRIBUNAL UPHOLDS CONTENTIONS OF ATTORNEY GENERAL LYON AND HIS ASSOCIATE--STATE COURT SUSTAINED

The winding up commission of the State dispensary will be able now to proceed with its investigation without interference by Judge Pritchard or any other federal court. The receivership is destroyed and the injunction against the commission dissolved by order of the United States supreme court, which is a decision handed down today takes the position that the commission created by the legislature is a direct representative of the State of South Carolina. To sue it or to proceed against it in any court is a proceeding the State of South Carolina, which says the supreme court is a violation of the 11th amendment to the federal constitution. Justice White read the decision which winds up in this paragraph.

"Deciding as we do that the suits in question were suits against the State of South Carolina, and within the inhibition of the 11th amendment, the decree of the circuit court of appeals is reversed, and the cause remanded to that court with instructions to dismiss the bills of complaint."

Chief Justice Fuller, who sat with the circuit court of appeals and whose decision, T. M. Morgan, Chief counsel for the whiskey, house complaints, was in the court room when these words fell from the lip of Justice White and completely flab-

The commission appointed by the governor under authority of the legislature to wind up the State dispensary affairs, take charge of all funds and pay all just claims, not being satisfied with some of the claims presented by certain liquor houses, undertook to make a thorough investigation of the circumstances and conditions of the sales of liquor to the dispensary officials. Certain liquor concerns, especially the Wilson Distilling company and the Fleischman company, protested against this proceeding and refused to pronounce their books. These concerns at the same time complained to Judge Pritchard of the fourth United States district and petitions Judge Pritchard issued the injunction and appointed the receivers. The banks in which the commission had deposited the dispensary funds as well as the commission, were restrained from paying out any of the dispensary money except upon the order of the receivers. The dispensary commission in obedience to this order refused to pay over to Attorney General Lyon the \$15,000 ordered by the legislature to be paid to the attorney general for the purpose of prosecuting cases against those charged with fraud in connection with the dispensary. The circuit court of appeals denied this petition. The case was brought to the United States supreme court on a writ of certiorari with the result as stated above.

State Retained Rights  
The position of Judge Pritchard was that the State of South Carolina when it appointed the winding up commission, completely divested itself of all its rights of immunity from suits in favor of citizens of other States, which is forbidden by the 11th amendment. He said that this commission was simply a trustee for certain funds and as such was on the same footing exactly as trustees of any other funds. Upon this point the supreme court in its decision says:

"Considering the text of the winding up act, we are of the opinion that there is no just ground for the conclusion that the State is 'providing by the legislation for the liquidation of the affairs of the dispensary intended to divest its self of its rights of property in the assets of that governmental agency and to endow the commissioners with a right and title to the property which placed it so beyond the control of the State as to

Receivership "State Sustained"  
Just take it from me then that the authorize a judicial tribunal to take the assets of the State out of the hands of those selected to manage the same, and by means of a receiver to administer such assets as property affected by a trust, irrevocable in its nature, and thus to 'dispose of the same without the presence of the State.

That being a fair sample of the long drawn out style of the decision I will give no more. The supreme court justice are not unlike other lawyers in the habit of using about 17 words to every really necessary one.

receivership and the injunction of Judge Pritchard are both slambusticated and the winding-up commission is now it.

W. J. Murray, John McSeen and Avery Patton are the only three members of it in good standing, two others Messrs Henderson and Arthur, having resigned to take positions as receivers which jobs they will not now need any longer. Gov. Ansel will have to appoint two others.

The commission will have about \$800,000 to disburse, and they may probe to the very bottom all the claims. If they find any fraud has been committed, they may refuse to pay the claims, and Attorney Gen. Lyon may have a chance to put some body in jail.

THE STORK VISITS BATESBURG  
Mr. and Mrs. Will Raul have been visited by the stork and judging from reports that have reached us the new comer has a very musical voice.

### WAYS IN WHICH RURAL SCHOOLS MAY BE IMPROVED.

The rural schools of South Carolina have been greatly improved in recent years but there is a very enormous amount of work to be done before the schools in the country will compare at all favorably with the town and city schools. A large per cent of the population of our state is rural and agricultural, therefore if every boy and girl is to be given an equal chance for an education it is very important that our people build up a good system of country schools. The efficiency of a country school depends largely upon the effort put forth in a rural community by its trustees and teachers. If they show that they are interested and will take the leadership in improving their schools they will not fail to get co-operation from patrons and trustees in South Carolina to ask himself the question: what can I do to make my school better? Find out how you can make it better and go to work with a determination to improve conditions.

Success will always attend an earnest effort. During the recent session of the Legislature a bill was passed appropriating \$40,000 for the purpose of increasing the average length of the school term and to improve the efficiency of the public schools in this state. (The State Supt. of Education, Mr. J. E. Swear, informed us gladly send a copy of this act together with regulations new to anyone who will write him for same.)

Every rural school should run longer than three or four months so if yours doesn't run at least 100 days don't fail to take advantage of this law. It provides that any school whose term is less than one hundred days can secure \$2.00 from the State Supt. of Education for every \$1.00 that the patrons may raise. If any school which pays \$30.00 a month will raise \$10.00 the state will supply \$20.00 and thus lengthen the term by one month. Of course, any greater amount raised by the school will secure a correspondingly greater addition to the school term.

The State Board of Education has recently set aside \$2,000 of the library fund to be used by the school improvement Association for prizes. This amount was offered last year and 91 schools entered the contest. It is estimated that \$200,000 worth of material improvement resulted from this contest. If your school did not apply last year, don't fail to make an effort to win a prize this year. Regulations regarding prizes can be secured by writing to Miss Theodosia Dargan, Dalzell, S. C.

It will be glad to furnish any trustees or teachers in the state with any information I can that will assist them in improving the conditions of their schools.  
Mary T. Nance,  
Field Ag't of Campaign Com.  
Cross Hill, S. C.

### Watch the Advocate for Real Estate Bargains next week.

FOR RENT  
Dwelling house five rooms with garden near Baptist church at \$10.50 per month. M and Alice Jones.

### N. U. GUNTER OPERATED ON

N. U. Gunter son of Capt. U. X. Gunter was operated on for appendicitis this week in Atlanta. The operation was successful and he is doing well.

### Watch the Advocate for Real Estate Bargains next Week.

### Are Your Papers Safe?

We have provided the latest and safest method of preserving valuable papers from loss by fire and theft.

#### A SAFETY DEPOSIT LOCK BOX

constructed of solid steel, installed in an absolutely fire proof vault, is the protection offered. You carry the key so that papers are accessible to no one but yourself.

This arrangement is especially convenient for farmers who have deeds, insurance policies, or other valuable papers. Call and examine for yourself.

### The First National Bank of Batesburg.

#### FOR RENT

5 room house for rent. Central part of the town. Nice garden. Apply to E. L. Hartley.

Story of The Case  
The story of the celebrated case is in brief as follows: